IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 5TH MARCH 2007 / 14TH PHALGUNA 1928

OP.No. 21701 of 1998(H)

PETITIONER:

Y. PANCHAMAN,
CHUTTUMANNADI,
OTTASEKHARAMANGALAM.P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.R.T.PRADEEP.

RESPONDENT:

F A C T REPRESENTED BY ITS CHAIRMAN &
MANAGING DIRECTOR, F A C T LTD., CORPORATE OFFICE,
UDYOGAMANDAL.

BY ADV. SRI. ANAND,
ADV.SMT.PRIYA MAHESH.

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 05/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P. NO. 21701/1998:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE AGREEMENT DTD. 23/08/1998.

EXT.P.2: COPY OF THE COMMUNICATION DTD. 15/04/1998.

EXT.P.3: COPY OF THE AGREEMENT DTD. 01/01/1989.

EXT.P.4: COPY OF THE AGREEMENT DTD. 01/04/1992.

EXT.P.5: COPY OF THE REPRESENTATION DTD. 30/12/1991.

EXT.P.6: COPY OF THE COMMUNICATION DTD. 24/09/1992.

EXT.P.7: COPY OF THE COMMUNICATION DTD. 12/10/1992.

EXT.P.8: COPY OF THE COMMUNICATION BY THE RESPONDENT DTD. 29/03/1993.

EXT.P.9: COPY OF THE RECOMMENDATION LETTER DTD. 22/07/1993.

EXT.P.10: COPY OF THE REPRESENTATION DTD. 19/03/1993.

EXT.P.11: COPY OF THE REPRESENTATION DTD. 08/06/1998.

EXT.P.12: COPY OF THE REPRESENTATION DTD. 24/06/1993.

EXT.P.13: COPY OF THE REPESENTATION DTD. 17/12/1997.

EXT.P.14: COPY OF THE LETTER BY THE RESPONDENT DTD. 19/04/1993.

EXT.P.15: COPY OF THE LETTER BY THE RESPONDENT DTD. 23/12/1993.

EXT.P.16: COPY OF THE LIST OF PERSONS APPOINTED BY THE RESPONDENT STAYED BY THE VIGILANCE DEPARTMENT.

EXT.P.17: COPY OF THE FORWARDING LETTER OF MINISTER DTD. 05/05/1998

EXT.P.18: COPY OF THE COMMUNICATION DTD. 17/06/1998.

EXT.P.19: COPY OF THE MINISTER'S COMMINIQUE DTD. 31/08/1998.

EXT.P.20: COPY OF THE COMMUNICATION OF THE RESPONDENT DTD. 21/09/1998.

//TRUE COPY//

prv.

S.SIRI JAGAN, J.

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O.P.No.21701 of 1998

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Dated this the 5th day of March, 2007

J U D G M E N T

The petitioner is challenging the order of the respondent by which the petitioner's contract appointment in the respondent's E.E.C. Unit at Kattappana was terminated with effect from 31.3.1993. The petitioner submits that since he had an unblemished record of 8 years, his service could not have been terminated as was done by Ext.P8.

2. The respondent has filed a counter affidavit, in which it is specifically stated that the petitioner was engaged as a unit assistant on contract basis at their Thiruvananthapuram and Idukki units in a specific project for a specified duration, and the services of the petitioner and other similarly situated unit assistants and unit officers were terminated on completion of the respective projects. This averment in the counter

affidavit is not disputed by the petitioner by filing a reply affidavit. Law relating to the project appointment has been settled by decisions of the Supreme Court whereby it has been categorically held that the employees who have been appointed in a project for a specified period are not entitled to continuance in employment after the period of the project is over. That being so, I do not find any merit in the challenge of the petitioner against Ext.P8 order terminating the service of the petitioner. Accordingly, the original petition is dismissed.

Interlocutory applications stand closed.

Sd/-

sdk+ S.SIRI JAGAN, JUDGE

S.SIRI JAGAN, J.

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O.P.No.21701 of 1998

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J U D G M E N T

5th March, 2007